

REMARKS

Claims 1-2, 17 and 27 have been rejected under 35 USC 102(e) as anticipated by Smith (U.S. Patent No. 6,009,124). The rejection is respectfully traversed.

The present invention requires information about user signals be obtained from the received signals, and requires information about interference signals to be obtained from the received signals and the information about the user signals which were previously obtained. The information about the interference signals is then used for generating a directional pattern for transmission. In one embodiment, these functions are performed within the receiver. The receiver therefore incorporates a transmission unit for which the directional pattern recited in claim 1 is used. Referring to page 7 of the English translation, the interference is described as being used for generating directions patterns. According to the specification, in duplex systems, each receiver is paired with a transmitter. Hence, each station which participates in the communication has both a receiver and a transmitter. Turning to page 8 of the specification, it is disclosed that the information about the received interference can be used to drive the antennas in the transmitting case. Hence, the directional patterns derived from the information about the interference signals can be used for transmission purposes at the receiver.

Smith discloses a high data rate communication system which employs an adaptive sectored antenna. However, Smith fails to disclose data which is obtained through received user signals, as opposed to through another base station. In this context, the Examiner argues that Smith discloses a first base station that processes a training sequence by using a signal-processing algorithm, thereby obtaining quantitative data on the second base station. The training sequence, which is independent of the user data being transferred, is used to complete the first signal-processing algorithm. Hence, the data on the second base station is independent of the received user signals. Again, the claimed invention, on the other hand, requires "obtaining quantitative information...about the **received user signals**...to generate a directions pattern for transmission at the receiver." (Emphasis added).

Additionally, the Examiner states that the two base stations in Smith control their respective antenna fields such that a minimum BER and a maximum RSSI are achieved, where BER and RSSI are interference indication signals. The Examiner then posits that the quantitative information on the received interference indication signals BER and RSSI is used to control the antenna and to generate a “directional pattern for transmission.” In the claimed invention, however, the quantitative data on the received interference signals is not determined solely on the basis of the reception signals, but also on the quantitative data on the received user signals (i.e. the data that was previously determined by means of the first signal processing algorithm). For example, claim 1 recites “obtaining quantitative information about the received interference signals from the received signals of one of the antennas **and** the quantitative information obtained about the received user signals by using a second signal processing algorithm....” (Emphasis added). In Smith, on the other hand, there is no disclosure of the quantitative data obtained by means of the first signal processing algorithm on the second based station to determine the interference indication signals BER and RSSI.

Since the recited structure and method are not disclosed by the applied prior art, claims 1 and 27 are patentable. Claims 2 and 17, depending from claim 1, are similarly patentable.

Claims 3-5 and 18-20 have been rejected under 35 USC 103(a) as unpatentable over Smith in view of Van Heeswyk (U.S. Patent No. 6,333,947); and claims 8-13, 16, 21 and 22 have been rejected under 35 USC 103(a) as unpatentable over Smith in view of Raleigh (U.S. Patent No. 6,144,711). The rejection is respectfully traversed for the same reasons presented in the arguments above, and for the following reasons. Van Heeswyk and Raleigh fail to disclose “obtaining quantitative information...about the received user signals...to generate a directions pattern for transmission at the receiver,” as required by the claimed invention.

Claims 3-5 8-13, 16 and 18-22, depending from claim 1, are similarly patentable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 449122009400.

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